

## REMARKS

In accordance with the foregoing, independent claims 1, 9, 11, and 12 have been amended. Claim 2 has been cancelled without prejudice or disclaimer. Support for the claim amendments can be found, for example, at page 13, lines 13-17, page 49, lines 1-6, page 51, line 24 to page 52 line 3 of the original specification. Accordingly, no new matter is being presented, and approval and entry are respectfully requested.

Claims 1, 3-9 and 11-13 are pending and underconsideration. Reconsideration is respectfully requested.

### ENTRY OF RESPONSE UNDER 37 C.F.R. §1.116:

Applicants request entry of this Rule 116 Response and Request for Reconsideration because:

(a) the amendments of the claims should not entail any further search by the Examiner because it is believed the amendments do not raise new issues by substantially requiring the features of dependent claim 2 and other features, the remarks apply the discussions of Ching and Fleischer specifically to the language of the claims, thus warranting entry of clarifying claim amendments and consideration of the remarks and

### REJECTION UNDER 35 U.S.C. §103

In the Office Action, at item 3, claims 1-9 and 11-13 were rejected under 35 U.S.C. §103(a) as being unpatentable over Ching, U.S. Patent No. 6,560,620 (hereinafter Ching), in view of Fleischer, U.S. Patent No. 5,960,383 (hereinafter Fleischer).

Independent claims 1, 9 and 11-12 are allegedly unpatentable over Ching in view of Fleischer.

In accordance with the foregoing, claim 1 is amended to recite, in part:

regarding a topic set that comprises topics of various grading in the recognized thematic hierarchies, the topic extracting device calculates a relevance score between topics of the topic set based on lexical similarity of description parts corresponding to each topic of the topic set, and extracts a topic set having a relevance score equal to or more than a threshold that is set based on inclusive relationship of topics, and

the threshold corresponding to any topic among topics which constitutes a target extraction of topic set, is a maximum value of calculated relevance score related to a topic which is included in a subtree in thematic hierarchies

Applicants respectfully submit that Ching and Fleischer, whether considered alone, or in combination, fail to disclose, either expressly or implicitly, the same.

The Office Action, in rejecting claim 2 at page 4, asserts: "Ching teaches calculating a relevance score between topics of the topic set ... and extracts a topic set having a relevance score equal to or more than a threshold that is set based upon inclusive relationship of topics (col. 19, lines 19-35)."

Ching, at column 19, lines 19-35 recites:

In another embodiment, the segment comparison may be continued **until a user specified threshold difference level is satisfied. As an example, the user may specify a threshold of 10 words which need to be different before a segment is identified as containing modifications or changes between the versions.** If a particular segment contains differences satisfying the threshold level, the particular segment is identified as containing differences or changes. In still another embodiment, the user can specify a particular word or phrase as the threshold difference level. **In this instance, segments containing an addition/deletion/change to the specified word or phrase between the old version and the new version may advantageously be identified as containing differences or changes.** If either the old version or new version of a particular segment is nonexistent, then the existing segment is identified as containing differences or changes.

In other words, Ching discusses a user specifying a number of words which can differ, or specifying a specific phrase which cannot differ, in a segment before a change in a segment is identified. That is, Ching discusses a user specified threshold relating to a number or a specific phrase, which differs from the claimed "regarding a topic set that comprises topics of various grading in the recognized thematic hierarchies, the topic extracting device **calculates a relevance score between topics of the topic set based on lexical similarity of description parts corresponding to each topic of the topic set**, and extracts a topic set having a relevance score equal to or more than a threshold that is set based on inclusive relationship of topics, and **the threshold**, corresponding to any topic among topics which constitutes a target extraction of topic set, **is a maximum value of calculated relevance score related to a topic which is included in a subtree in thematic hierarchies,**" as recited in amended claim 1.

Accordingly, Applicants respectfully submit that a *prima facie* case of obviousness cannot be based upon Ching and Fleischer, because there is no evidence that one skilled in the art would combine Ching's user specified threshold and Fleischer's document condenser, and modify the combination to include the claimed "regarding a topic set that comprises topics of

various grading in the recognized thematic hierarchies, the topic extracting device calculates a relevance score between topics of the topic set based on lexical similarity of description parts corresponding to each topic of the topic set, and extracts a topic set having a relevance score equal to or more than a threshold that is set based on inclusive relationship of topics, and the threshold, corresponding to any topic among topics which constitutes a target extraction of topic set, is a maximum value of calculated relevance score related to a topic which is included in a subtree in thematic hierarchies," as recited in claim 1.

Applicants respectfully submit that independent claims 9 and 11-12 patentably distinguish over the cited references for similar reasons as independent claim 1.

Claims 3-8 depend, directly or indirectly, from claim 1 and include all the features of that claim plus additional features which are not taught or suggested by the cited references. Therefore, it is submitted that claims 3-8 patentably distinguish over the prior art.


If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: April 15, 2008

By:   
Matthew H. Polson  
Registration No. 58,841

1201 New York Ave, N.W., 7th Floor  
Washington, D.C. 20005  
Telephone: (202) 434-1500  
Facsimile: (202) 434-1501